

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD

RADNET MANAGEMENT, INC.  
Employer

and

NATIONAL UNION OF HEALTHCARE WORKERS  
Petitioner

Case 21-RC-226166  
Unit B: La Mirada Imaging

ORDER

The Employer's Request for Review of the Regional Director's October 10, 2018 Decision and Direction of Election and February 19, 2019 Decision on Objections and Certification of Representative is denied as it raises no substantial issues warranting review.<sup>1</sup>

JOHN F. RING, CHAIRMAN

MARVIN E. KAPLAN, MEMBER

WILLIAM J. EMANUEL, MEMBER

Dated, Washington, D.C., June 12, 2019.

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<sup>1</sup> We express no view with respect to whether we agree or disagree with revisions made by the Board's Election Rule, but we agree that it applies here and warrants denial of the Employer's request for review.

The Regional Director directed separate elections in 10 units over the course of two days, with polls in many of the units closing during other units' voting sessions. He further ordered that the ballots be impounded until all of the elections had concluded so that they could be counted at a central location, in the presence of all parties and their representatives. We find that the Regional Director did not abuse his discretion by arranging the ballot count in this manner for the reasons stated in his decision, including the administrative challenges presented by the number of elections and their overlapping schedules. *Nathan Katz Realty, LLC v. NLRB*, 251 F.3d 981 (D.C. Cir. 2001), cited by the Employer, is distinguishable, as that case only involved two successive elections held at different times on a single day. Under the unusual circumstances of this case, the earliest practicable time at which the count could take place was after the completion of voting in all units. In any event, Unit B was the first unit to complete voting, so the impoundment of ballots had no effect upon this unit.

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD

RADNET MANAGEMENT, INC.  
Employer

and

NATIONAL UNION OF HEALTHCARE WORKERS  
Petitioner

Case 21-RC-226166  
Unit C: Orange Advanced  
Imaging

ORDER

The Employer's Request for Review of the Regional Director's October 10, 2018 Decision and Direction of Election and February 19, 2019 Decision on Objections and Certification of Representative is denied as it raises no substantial issues warranting review.<sup>1</sup>

JOHN F. RING, CHAIRMAN

MARVIN E. KAPLAN, MEMBER

WILLIAM J. EMANUEL, MEMBER

Dated, Washington, D.C., June 12, 2019.

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UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD

RADNET MANAGEMENT, INC.  
Employer

and

NATIONAL UNION OF HEALTHCARE WORKERS  
Petitioner

Case 21-RC-226166  
Unit E: Garden Grove  
Advanced Imaging

ORDER

The Employer's Request for Review of the Regional Director's October 10, 2018 Decision and Direction of Election and February 19, 2019 Decision on Objections and Certification of Representative is denied as it raises no substantial issues warranting review.<sup>1</sup>

JOHN F. RING, CHAIRMAN

MARVIN E. KAPLAN, MEMBER

WILLIAM J. EMANUEL, MEMBER

Dated, Washington, D.C., June 12, 2019.

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The Regional Director directed separate elections in 10 units over the course of two days, with polls in many of the units closing during other units' voting sessions. He further ordered that the ballots be impounded until all of the elections had concluded so that they could be counted at a central location, in the presence of all parties and their representatives. We find that the Regional Director did not abuse his discretion by arranging the ballot count in this manner for the reasons stated in his decision, including the administrative challenges presented by the number of elections and their overlapping schedules. *Nathan Katz Realty, LLC v. NLRB*, 251 F.3d 981 (D.C. Cir. 2001), cited by the Employer, is distinguishable, as that case only involved two successive elections held at different times on a single day. Under the unusual circumstances of this case, the earliest practicable time at which the count could take place was after the completion of voting in all units.

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD

RADNET MANAGEMENT, INC.  
Employer

and

NATIONAL UNION OF HEALTHCARE WORKERS  
Petitioner

Case 21-RC-226166  
Unit G: Anaheim  
Advanced Imaging

ORDER

The Employer's Request for Review of the Regional Director's October 10, 2018 Decision and Direction of Election and February 19, 2019 Decision on Objections and Certification of Representative is denied as it raises no substantial issues warranting review.<sup>1</sup>

JOHN F. RING, CHAIRMAN

MARVIN E. KAPLAN, MEMBER

WILLIAM J. EMANUEL, MEMBER

Dated, Washington, D.C., June 12, 2019.

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The Regional Director directed separate elections in 10 units over the course of two days, with polls in many of the units closing during other units' voting sessions. He further ordered that the ballots be impounded until all of the elections had concluded so that they could be counted at a central location, in the presence of all parties and their representatives. We find that the Regional Director did not abuse his discretion by arranging the ballot count in this manner for the reasons stated in his decision, including the administrative challenges presented by the number of elections and their overlapping schedules. *Nathan Katz Realty, LLC v. NLRB*, 251 F.3d 981 (D.C. Cir. 2001), cited by the Employer, is distinguishable, as that case only involved two successive elections held at different times on a single day. Under the unusual circumstances of this case, the earliest practicable time at which the count could take place was after the completion of voting in all units.

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD

RADNET MANAGEMENT, INC.  
Employer

and

NATIONAL UNION OF HEALTHCARE WORKERS  
Petitioner

Case 21-RC-226166  
Unit H: West Coast  
Radiology - Irvine

ORDER

The Employer's Request for Review of the Regional Director's October 10, 2018 Decision and Direction of Election and February 19, 2019 Decision on Challenged Ballots, Decision on Objections and Certification of Representative is denied as it raises no substantial issues warranting review.<sup>1</sup>

JOHN F. RING, CHAIRMAN

MARVIN E. KAPLAN, MEMBER

WILLIAM J. EMANUEL, MEMBER

Dated, Washington, D.C., June 12, 2019.

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The Regional Director directed separate elections in 10 units over the course of two days, with polls in many of the units closing during other units' voting sessions. He further ordered that the ballots be impounded until all of the elections had concluded so that they could be counted at a central location, in the presence of all parties and their representatives. We find that the Regional Director did not abuse his discretion by arranging the ballot count in this manner for the reasons stated in his decision, including the administrative challenges presented by the number of elections and their overlapping schedules. *Nathan Katz Realty, LLC v. NLRB*, 251 F.3d 981 (D.C. Cir. 2001), cited by the Employer, is distinguishable, as that case only involved two successive elections held at different times on a single day. Under the unusual circumstances of this case, the earliest practicable time at which the count could take place was after the completion of voting in all units.

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD

RADNET MANAGEMENT, INC.  
Employer

and

NATIONAL UNION OF HEALTHCARE WORKERS  
Petitioner

Case 21-RC-226166  
Unit I: West Coast  
Radiology – South Coast

ORDER

The Employer's Request for Review of the Regional Director's October 10, 2018 Decision and Direction of Election and February 19, 2019 Decision on Objections and Notice of Hearing is denied as it raises no substantial issues warranting review.<sup>1</sup>

JOHN F. RING, CHAIRMAN

MARVIN E. KAPLAN, MEMBER

WILLIAM J. EMANUEL, MEMBER

Dated, Washington, D.C., June 12, 2019.

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The Regional Director directed separate elections in 10 units over the course of two days, with polls in many of the units closing during other units' voting sessions. He further ordered that the ballots be impounded until all of the elections had concluded so that they could be counted at a central location, in the presence of all parties and their representatives. We find that the Regional Director did not abuse his discretion by arranging the ballot count in this manner for the reasons stated in his decision, including the administrative challenges presented by the number of elections and their overlapping schedules. *Nathan Katz Realty, LLC v. NLRB*, 251 F.3d 981 (D.C. Cir. 2001), cited by the Employer, is distinguishable, as that case only involved two successive elections held at different times on a single day. Under the unusual circumstances of this case, the earliest practicable time at which the count could take place was after the completion of voting in all units.

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD

RADNET MANAGEMENT, INC.  
Employer

and

NATIONAL UNION OF HEALTHCARE WORKERS  
Petitioner

Case 21-RC-226166  
Unit J-2 (Non-professional):  
West Coast Radiology –  
Santa Ana

ORDER

The Employer's Request for Review of the Regional Director's October 10, 2018 Decision and Direction of Election and February 19, 2019 Decision on Objections and Certification of Representative is denied as it raises no substantial issues warranting review.<sup>1</sup>

JOHN F. RING, CHAIRMAN

MARVIN E. KAPLAN, MEMBER

WILLIAM J. EMANUEL, MEMBER

Dated, Washington, D.C., June 12, 2019.

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The Regional Director directed separate elections in 10 units over the course of two days, with polls in many of the units closing during other units' voting sessions. He further ordered that the ballots be impounded until all of the elections had concluded so that they could be counted at a central location, in the presence of all parties and their representatives. We find that the Regional Director did not abuse his discretion by arranging the ballot count in this manner for the reasons stated in his decision, including the administrative challenges presented by the number of elections and their overlapping schedules. *Nathan Katz Realty, LLC v. NLRB*, 251 F.3d 981 (D.C. Cir. 2001), cited by the Employer, is distinguishable, as that case only involved two successive elections held at different times on a single day. Under the unusual circumstances of this case, the earliest practicable time at which the count could take place was after the completion of voting in all units.